

Town of Frederick Board of Trustees



Eric Doering, Mayor

Tony Carey, Mayor Pro Tem
Gerry Pfirsch, Trustee
Sue Wedel, Trustee

Rafer Burnham, Trustee
Amy Schiers, Trustee
Jim Wollack, Trustee

AM 2010-053

To Consider the Sandstone Ridge Business Park Zoning Amendment

Agenda Date: May 11, 2010

Attachments:

- a. PCR-2010-07A Recommending Approval of Sandstone Ridge Business Park Zoning Amendment
- b. Draft Planning Commission Minutes from April 20, 2010
- c. Applicant's Application
- d. Resolution
- e. Ordinance
- f. Vicinity Map
- g. Zoning Amendment Map

Fiscal Note:

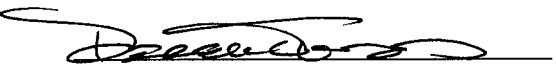
None noted


Bryan Ostler, Administrative Services Director

Submitted by:

Jennifer Simmons 
Planning Director

Approved for Presentation:


Town Administrator

AV Use Anticipated

Projector Yes Laptop No

Certification of Board Approval:

Town Clerk

Date

Summary Statement:

The property owner has submitted an application for a zoning amendment to remove the overlying PUD. The property was initially zoned Business Light Industrial with a PUD overlay in October 2006.

Detail of Issue/Request:

Applicant: Dillon Family, LLC
Ryan Dillon
138 S Downing St.
Denver, CO 80209

Property Owner: Dillon Family, LLC
Ryan Dillon

Location and Zoning: The project is located north of Bella Rosa Parkway/CR 20, west of the West I-25 Frontage Road. The property is currently zoned Business Light Industrial with a PUD overlay.

Surrounding land uses and zoning

North	Agriculture/Weld County Agricultural
South	Agriculture/Neighborhood Commercial
East	I-25 and Business park/Industrial
West	Agriculture/Low Density Residential

Discussion: The Dillon Family has submitted an application for zoning amendment. The plans have been referred to the following agencies as required by the Land Use Code: St. Vrain Valley School District, Carbon Valley Recreation District, Lefthand Water District, St. Vrain Sanitation District, and Kerr-McGee.

The zoning amendment will remove the PUD overlay from the property, resulting in a zoning district of Business/Light Industrial.

Review Criteria: The review criteria for a zoning amendment are stated in Section 4.7.2. Those criteria are as follows:

- a. For the purpose of establishing and maintaining sound, stable and desirable development within the Town, the official zoning map shall not be amended except:
 - (1) To correct a manifest error in an ordinance establishing the zoning for a specific property;
 - (2) To rezone an area or extend the boundary of an existing district because of changed or changing conditions in a particular area or in the Town generally;
 - (3) The land to be rezoned was zoned in error and as presently zoned is inconsistent with the policies and goals of the Comprehensive Plan;
 - (4) The proposed rezoning is necessary to provide land for a community-related use that was not anticipated at the time of the adoption of the Comprehensive Plan, and the rezoning will be consistent with the policies and goals of the Comprehensive Plan;
 - (5) The area requested for rezoning has changed or is changing to such a degree that it is in the public interest to encourage development or redevelopment of the area; or
 - (6) A rezoning to Planned Unit Development overlay district is requested to encourage innovative and creative design and to promote a mix of land uses in the development.

The requested zoning amendment has changed or is changing to such a degree that it is in the public interest to encourage development of the area. The property owner understands that by removing the PUD overlay, all regulations within the Land Use Code will apply to the property.

Public Notice: This project was properly noticed according to the requirements of Section 4.5.8 of the Frederick Land Use Code.

Planning Commission Review: This project was presented to the Planning Commission on April 20, 2010 at a public meeting as required by the Land Use Code. The Commission recommended approval of the request as documented in PCR-2010-07A (see attached).

Legal/Political Considerations:

This project was reviewed by legal staff and all their comments have been addressed.

Alternatives/Options:

The Board of Trustees has the following options:

- Approve the project as presented.
- Deny the project as presented.
- Approve the project with conditions.
- Table this item and direct staff and the applicant to address specific items.

Financial Considerations:

Not Applicable

Staff Recommendation:

Staff recommends approval of this project as reflected in the attached resolution and ordinance.